

**REMARKS**

The December 29, 2004 Office Action has been carefully considered; and the claim amendments above and the concurrently filed Terminal Disclaimer are presented in a bona fide effort to address all issues raised in that Action. Prompt favorable reconsideration of this application is solicited.

A supplemental Information Disclosure Statement was filed on December 23, 2004, however, the December 29, 2004 Office Action did not include an initialed copy of the form PTO-1449 from that latest Statement. It is respectfully requested that reconsideration of this matter include consideration of the document listed in that latest Statement, and that the next Official communication regarding this matter include an initialed copy of the PTO-1449 from that latest Statement indicating the Examiner's consideration of the cited document.

The two obviousness-type double patenting rejections set forth in the Action should be overcome by the concurrently filed Terminal Disclaimer. It should be noted, however, that filing of the Disclaimer is not an acquiescence in or agreement with the reasoning stated in the two rejections.

In section number 4 (on page 5) of the Detailed Action, claims 16, 22 and 27 were rejected as indefinite, on the ground that recitations of the "reference signal" were confusing in view of other citations in the claims to control and timing signals. Claims 16, 22 and 27 are amended above to delete the allegedly confusing recitations regarding the "reference signal." Dependent claim 21 has been cancelled as it included a similar (and possibly redundant) recitations regarding a reference signal and generating control and timing signals. In view of these claim amendments to delete the allegedly confusing language, the indefiniteness rejection should be overcome.

**Application No.: 09/732,186**

Upon entry of the above claim amendments, claims 16, 18-20, 22, 24-27 and 29-41 remain active in this application, all of which should be in condition for allowance. Accordingly, this case should now be ready to pass to issue; and Applicant respectfully requests a prompt favorable reconsideration of this matter.

It is believed that this response and the accompanying Disclaimer address all issues raised in the December 29, 2004 Office Action. However, if any further issue should arise that may be addressed in an interview or an Examiner's amendment, it is requested that the Examiner telephone Applicant's representative at the number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Keith E. George  
Registration No. 34,111

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8603 KEG:apr  
Facsimile: 202.756.8087  
**Date: January 19, 2005**

**Please recognize our Customer No. 20277  
as our correspondence address.**